Anwar et al v. Fairfield Greenwich Limited et al Doc. 146

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

NEW YORK
COUNTY CLERK'S OFFICE

FEB 1 3 2009

DAVID I. FERBER SEP IRA,

Plaintiff,

vs.

FAIRFIELD GREENWICH GROUP, FAIRFIELD GREENWICH LIMITED, FAIRFIELD GREENWICH (BERMUDA) LTD., FAIRFIELD GREENWICH ADVISORS LLC, GLOBEOP FINANCIAL SERVICES LLC, CITCO FUND SERVICES (EUROPE) BV, CITCO (CANADA) INC., WALTER M. NOEL, JR., JEFFREY TUCKER, ANDRES PIEDRAHITA, BRIAN FRANCOEUR, AMIT VIJAYVERGIYA, PRICEWATERHOUSECOOPERS LLP, and PRICEWATERHOUSE COOPERS ACCOUNTANTS N.V.,

Defendants,

and

GREENWICH SENTRY, L.P.,

Nominal Defendant.

Index No.: 600469/2009
Date Purchased: 2/13/2009

NOT COMPARED WITH COPY FILED

Plaintiff designates New York County as the place of trial.

The basis of the venue is Plaintiff's and Defendants' Residence

SUMMONS

Plaintiff resides in New York, NY

County of New York

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED TO answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's Attorneys **within 20 days** after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your

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failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: February 13, 2009

Defendants' Addresses:
(SEE ATTACHED SCHEDULE A)

Attorneys for Plaintiff:

MILBERG, LLP
By: ______________________
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SCHEDULE A

FAIRFIELD GREENWICH GROUP
c/o Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

FAIRFIELD GREENWICH LIMITED
Att: Mark McKeefry, Esq.
55 East 52nd Street, 33rd Floor
New York, NY 10055

FAIRFIELD GREENWICH (BERMUDA) LTD.
12 Church Street, Suite 606
Hamilton, Bermuda HM11

FAIRFIELD GREENWICH ADVISORS LLC
c/o Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

GLOBEOP FINANCIAL SERVICES LLC
450 Mamaroneck Avenue
Harrison, NY 10528

CITCO FUND SERVICES (EUROPE) BV
Telestone 8, Teleport, Naritaweg 165
1043 BW Amsterdam
The Netherlands

CITCO (CANADA) INC.
2 Bloor Street East, Suite 2700
Toronto, Ontario M4W 1A8 Canada

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PRICEWATERHOUSECOOPERS ACCOUNTANTS N.V.
Thomas R. Malthusstraat 5 1066 JR
AMSTERDAM

GREENWICH SENTRY, L.P.
c/o Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

AFFIDAVIT OF PROCESS SERVER

In The Supreme Court of the State of New York in and for the County of New York

David I. Ferber SEP IRA
Plaintiff(s)
v
Fairfield Greenwich Group, et al
Defendant(s)

Index No: 600469/2009 Filed: 2/13/09

I declare that I am a citizen of the United States, over the age of eighteen and not a party to this action. And that within the boundaries of the state where service was effected, I was authorized to perform said service

Service: I served Greenwich Sentry, L.P.

with the documents: Summons with Schedule A; Limited Partners Derivative Complaint with Jury Trial Demanded; Endorsed with Index Number and Date of Filing

Person Served: Mary Drummond, Managing Agent duly authorized to accept service.

Service Address: Corporation Service Company, Registered Agent, 2711 Centerville Rd., # 400, Wilmington, DE 19808

Date of Service: February 19, 2009 Time of Service: 3:20 p.m.

Manner of Service: (X) By personally delivering copies to the person/authorized agent of entity being served.
( ) By leaving, during office hours, copies at the office of the person/entity being served, leaving same with the person apparently in charge thereof
( ) By leaving copies at the dwelling house or usual place of abode of the person being served, with a member of the household 18 or older and explaining the general nature of the papers.
( ) By posting copies in a conspicuous manner to the address of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

( ) Unknown at address ( ) Evading ( ) Moved, left no forwarding ( ) Other
( ) Address does not exist ( ) Service canceled by Litigant ( ) Unable to serve in a timely fashion

Service Attempts: Service was attempted on _____ at _____, _____ at _____, _____ at _____, _____ at _____, _____ at _____, _____ at _____,

Description: Age: 40's Sex: F Race: B Hgt: 5'6" Wgt: 135 Hair: Brown Glasses: No

I declare under penalty of perjury that the information contained herein is true and correct and this affidavit was executed on:

February 20, 2009 at Wilmington, Delaware
Date City State

Daniel Newcomb, Process Server

State of Delaware
County of New Castle

Subscribed and Sworn before me, a Notary Public of the State of Delaware on February 20, 2009

Witness My Hand and Official Seal To

Kimberly J. Ryan, My Commission Expires 6/15/12
Notary Public, State of Delaware

KIMBERLY J. RYAN
NOTARY PUBLIC-DELAWARE
My Commission Expires June 15, 2012